

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Regarding the  
Implementation of the Suspension of Direct  
Access Pursuant to Assembly Bill 1X and  
Decision 01-09-060.

Rulemaking 02-01-011  
(Filed January 9, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING REACTIVATING SCHEDULE  
FOR ADVICE LETTER FILINGS AND PROTESTS  
FOR MUNICIPAL DEPARTING LOAD**

This ruling is issued to reactivate the advice letter filing process relating to Municipal Departing Load (MDL). By prior ruling dated September 20, 2005, Pacific Gas and Electric Company's (PG&E) Advice Letter 2433-E-C was temporarily suspended. By ruling dated September 27, 2005, PG&E's Advice Letter 2483-E-A was also suspended based on similar considerations.

The suspensions were granted in response to letters dated September 19, 2005, and September 26, 2005, from counsel for the California Municipal Utilities Association (CMUA) to Assigned Commissioner Geoffrey Brown and assigned Administrative Law Judge (ALJ) Thomas Pulsifer seeking a ruling as to the manner in which the Commission intended to address advice letter filings in the MDL phase of this proceeding. CMUA served a copy of the letter on all parties in this proceeding.

PG&E had been directed by previous ALJ rulings to wait for subsequent action by the Commission on relevant issues relating to the billing, collection, and accounting of cost responsibility surcharge (CRS) revenue for MDL customers. CMUA had asked therefore that PG&E be required to withdraw its

advice letters and resubmit them following a prescribed process for addressing such filings on a coordinated basis with the other investor-owned utilities.

### **Discussion**

At its March 2, 2006 meeting, the Commission is scheduled to consider the Draft Decision establishing CRS exemption eligibility for MDL. With this action, along with the recent release of the Working Group status report which reached a consensus on many issues relating to quantification of the CRS, the time is now appropriate to move forward with the processing of the above-referenced MDL advice letters. In order to provide a parallel track for consideration of the advice letters of the three investor-owned utilities, both Southern California Edison Company (SCE) and San Diego Gas & Electric (SDG&E) are hereby authorized to proceed with the advice letter filing of their proposed MDL tariffs. Accordingly, the due date of March 8, 2006, is hereby set for SCE and SDG&E to file and serve any advice letters seeking to implement proposed MDL tariffs. To the extent that either SCE or SDG&E propose to bill and collect both transferred load and new load components, the advice letters shall delineate each of these components by separate tariffs.

The advice letters shall be served on all parties to this proceeding. Upon the filing of the SCE and SDG&E advice letters, the schedule for PG&E's above-referenced advice letters shall be reactivated. In this manner, the processing of the advice letters for the three investor-owned utilities will be on a parallel track. In addition to serving the advice letters on all parties to the service list for this proceeding, each of the Investor-Owned Utilities is directed to concurrently serve a copy of its advice letters, together with a copy of this ruling, on any publicly-owned utility within its service territory that is not on the service list and whose customers may be subject to the CRS. Any protests either to the advice letters

filed by SCE and SDG&E, or to Advice Letters 2433-E-C and 2483-E-A, already filed by PG&E, shall do so within 20 days after March 6, 2006, in accordance with General Order 96-A.

**IT IS RULED** that:

1. Southern California Edison Company and San Diego Gas & Electric Company are hereby directed each to file their respective advice letters to implement the billing and collection of MDL. To the extent applicable, separate advice letters shall be submitted for “transferred load” and “new load” components of MDL, respectively.

2. The due date for the submission of the SCE and SDG&E Advice Letters shall be March 8, 2006. The advice letters shall be served on the service list for this proceeding.

3. Upon the filing of the SCE and SDG&E advice letters, the schedule for PG&E’s above-referenced advice letters shall be reactivated.

4. In addition to serving the advice letters on all parties to the service list for this proceeding, each of the Investor-Owned Utilities is directed to concurrently serve a copy of its advice letters, together with a copy of this ruling, on any publicly-owned utility within its service territory that is not on the service list and whose customers may be subject to the CRS.

5. Any protests either to the advice letters filed by SCE and SDG&E, or to Advice Letters 2433-E-C and 2483-E-A, already filed by PG&E, shall be filed within 20 days after March 8, 2006, in accordance with General Order 96-A.

Dated February 23, 2006, at San Francisco, California.

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Thomas R. Pulsifer

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Administrative Law Judge

## **CERTIFICATE OF SERVICE**

I certify that I have this day served a true copy of the original attached Administrative Law Judge's Ruling Reactivating Schedule For Advice Letter Filings And Protests For Municipal Departing Load on all parties of record or their attorneys of record.

Dated February 23, 2006, at San Francisco, California.

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Joyce Tom

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.